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1637

ATTORNEY DOCKET NO.: 2003028-0049 (MIT6834 / Ariad 022A PCT/USD1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Pomerantz et al. Examiner: Horlick
Serial No.: 09/852,370 Art Unit: 1637
Filing Date: May 10, 2001
Title: CHIMERIC DNA-BINDING PROTEINS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

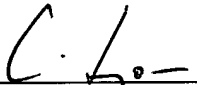
TRANSMITTAL LETTER

Enclosed are the following documents:

1. Supplemental Information Disclosure Statement (4 pages);
2. Form PTO-1449 (1 page);
3. Cited Art (1 reference);
4. Check in the amount of \$180.00; and
5. Return Postcard.

If any additional fees are required to be paid or if any overpayment has been made, please charge same to Deposit Account No. 03-1721.

Respectfully submitted,



Charles E. Lyon, D.Phil.
Registration Number 56,630

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53 State Street
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Dated: 07/01/05

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Certificate of Mailing	
I certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
<u>7-7-05</u>	<u>Sandra Laccocio</u>
Date	Signature
_____ Typed or Printed Name of person signing certificate	



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Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

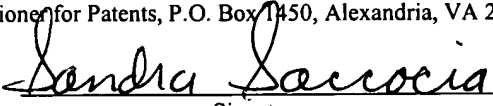
Pursuant to the duty of disclosure under 37 CFR §§ 1.56, 1.97 and 1.98, Applicant requests consideration of this Information Disclosure Statement.

Type of Statement

The present Information Disclosure Statement is:

☐ An *original* Information Disclosure Statement; or

☒ A *supplemental* Information Disclosure Statement.

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Sandra Saccocia	
Typed or Printed Name of person signing certificate	

07/12/2005 NNGUYEN1 00000021 09852370

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Compliance with 37 CFR § 1.97

The present Information Disclosure Statement is being filed:

☒ Pursuant to 37 CFR § 1.97(d), after the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; Applicant hereby *both*:

☒ Certifies that *either*:

☒ Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement; and

☒ Includes herewith the fee set forth in § 1.17(p).; Please charge Deposit Account No. 03-1721.

Content of the Information Disclosure Statement

Applicant hereby makes of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant includes copies of references as indicated below:

- ☒ A copy of each cited reference not indicated with a † is included;
- ☐ Copies of references indicated with a † on the attached form PTO-1449 are not included pursuant to 37 CFR § 1.98(d) because they were previously provided to the United States Patent Office in an Information Disclosure Statement that complies with 37 CFR § 1.98(a)-(c) and was submitted in the following patent application that is relied upon in the present case for an earlier effective filing date under 35 USC § 120:

Serial Number	Filing Date	Status

- ☐ Copies of English translations of one or more non-English references are included.

Applicant hereby makes the following additional information of record in the above-identified application:

Applicant certifies that the Information Disclosure Statement *either*:

- ☒ Does not contain non-English language citations;
- ☐ Includes one or more translations of a non-English citation; or
- ☐ Does contain non-English language citations, of which the following is a concise explanation:

Remarks

The submission of this Information Disclosure Statement should not be construed as a representation that a search has been made.

The submission of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b).

The submission of this Information Disclosure Statement shall not be construed as a representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 USC § 102.

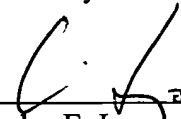
It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark Office during the examination of this application; and
3. The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

Respectfully submitted,

Dated: July 1, 2005



Charles E. Lyon, D.Phil.
Registration Number: 56,630

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53 State Street
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FORM PTO-1449 (REV. 8-83)		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket: 2003028-0049 (MIT 6834 / Ariad 022A PCT/USD1)		In Re Application No.: 09/852,370	
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				Applicant: Pomerantz <i>et al.</i>			
				Filing Date: May 10, 2001		Group: 1637	
U.S. PATENT DOCUMENTS							
Examiner's Initials	U.S. Patent No.	Applicant	Issue Date	Class	Subclass		
U.S. PATENT APPLICATIONS							
Examiner's Initials:	Publication Number:	Applicant:	Publication Date:	Group:	Art Unit:		
FOREIGN PATENT DOCUMENTS							
Examiner's Initials	Document No.	Country	Date	Translation			
				Yes		No	
OTHER DOCUMENTS							
Examiner's Initials	Citation (Including Author, Title, Date, Pertinent Pages, Etc.)						
	Dedera, et al., "Chimeric Homeobox Gene E2A-PBX1 Induces Proliferation, Apoptosis, and Malignant Lymphomas in Transgenic Mice", <i>Cell</i> , 74: 833-843, 1993.						
EXAMINER				DATE CONSIDERED			
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							